

GEORGIA STATE BOARD OF HEARING AID DEALERS & DISPENSERS

Board Meeting Minutes * September 11, 2012

Professional Licensing Boards Division
237 Coliseum Drive * Macon, Georgia 31217

A meeting of the Georgia State Board of Hearing Aid Dealers and Dispensers was held on Tuesday, September 11, 2012 at the Professional Licensing Boards Office, 237 Coliseum Drive, Macon, Georgia 31217.

The following Board members were present:

Dr. Donald N. Cote, M.D., Board Certified – American Board of Otolaryngology, Chair
Ralph T. Jackson, Jr., Vice-Chair
Vaughn Bray, BC-HIS, CCCA
Deborah Brillling, Consumer Member
Joseph Stock, BC-HIS
Jason Murphy

Absent:

Kadyn Ochs Williams, Au.D.

Administrative Staff Present:

Brig Zimmerman, Executive Director
Wylencia Monroe, Assistant Attorney General
Amanda Allen, Licensure Analyst
Chrissy Lewis, Complaint/Compliance Specialist

Dr. Donald Cote, Chair established that a quorum was present and called the Board meeting to order at 8:35 a.m.

Agenda: Approved with late agenda items added

Announcements:

- Reappointment of Mr. Ralph Jackson to the Board
- New Appointment of Mr. Jason Murphy (Replaces Mr. Henry Williams)
 - The Oath of Office was administered to Mr. Murphy

The Board wished to express in today's record of this meeting their appreciation for the service and dedication to the Board of Mr. Henry Williams.

Minutes:

Ms. Brillling moved, Mr. Jackson seconded, and the Board voted to approve the minutes from the following meeting dates as amended. None opposed, motion carried.

- June 12, 2012-Board Meeting
- June 28, 2012-Committee Meeting
- August 07, 2012 Conference Call

Public Rule Hearing:

No guest attendees' for public rule hearing.

Rule 276-10.02 Continuing Education Courses

SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA STATE BOARD OF HEARING AID DEALERS AND DISPENSERS RULE FOR CHAPTER 276-10, CONTINUING EDUCATION, RULE 276-10-.02 CONTINUING EDUCATION COURSES

Purpose: The purpose of this rule amendment is to address continuing education courses for dispensers.

Main Features: The rule amendment adds two additional course sponsors for continuing education hours, clarifies the rule language on course in jurisprudence and ethics, sets a minimum number of hours to be obtained by in person programs and a maximum for on-line hours, and adds a provision that all sitting Board members undergo a continuing education audit each renewal cycle.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE GEORGIA STATE BOARD OF HEARING AID DEALERS AND DISPENSERS RULE FOR CHAPTER 276-10, CONTINUING EDUCATION, RULE 276-10-.02 CONTINUING EDUCATION COURSES

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted]

276-10-.02 Continuing Education Courses:

(1) ~~Unless the Board gives written notice to each licensed dispenser prior to the date thereof, e~~Courses offered by the following are recognized preapproved by the Board as means of acquiring the required continuing education hours ~~to meet the requirement of continuing education for license renewal provided the courses are directly related to the professional growth and development of hearing aid dispensers. subject to the specific categories as outlined in paragraph 3 of this rule.~~

- (a) International Institute for Hearing Instrument Studies.
- (b) International Hearing Society.
- (c) Georgia Society of Hearing Professionals.
- (d) American Speech-Language-Hearing Association.
- (e) Georgia Speech-Language-Hearing Association.
- (f) American Academy of Otolaryngology, Head and Neck Surgery, Inc.
- (g) Georgia Academy of Audiology.
- (h) College courses taken for credit or through official audit or seminars sponsored by such colleges.
- (i) Audiology Online (www.audiologyonline.com)
- (j) American Academy of Audiology

(2) All educational opportunities other than those offered by various state approved/sanctioned academies, societies and associations require prior approval from the Board within sixty (60) days prior to the scheduled date of such program. Applications for approval must include sponsor, date, location, subjects, scope, instructors, qualifications of instructors, and classroom hours for each subject.

(3) A hearing aid dispenser must obtain a minimum of fourteen (14) hours of continuing education per biennium. Of these hours, two (2) must be in the medical area (face-to-face only, NOT online), two (2) must be in jurisprudence (Georgia laws and rules)/ and/or ethics, two (2) must be in patient management. The remainder of hours may be obtained as product specific or on the topic of practice building.

(a) Online Hours: Of the required fourteen (14) total continuing education hours, a total of six (6) hours must be obtained face-to-face, in person (of these 6 hours, the 2 required hours in the medical area MUST

be obtained face-to-face, in person). The remaining eight (8) hours may be obtained via online means, however, NO more than four (4) hours may be obtained online in any given twenty-four (24) hour period.
(ab) Approved areas of study to satisfy the two (2) hours in the medical area are

1. Anatomy and physiology;
2. Diseases of the ear;
3. Disease control;
4. Otoscopy.

(b c) Approved areas of study to satisfy the two (2) hours in patient management are

1. Testing;
2. Rehabilitation;
3. Counseling;
4. Impressions of the ear.

(4) The method of reporting continuing education hours to the Board, IF selected for a Continuing Education Hours audit, shall be by audit as follows:

(a) Each licensed hearing aid dispenser shall be responsible for maintaining certificates of attendance ~~(and supporting documentation as appropriate)~~ and any course descriptions, schedules, syllabuses, synopses or abstracts of course content for continuing education courses taken to satisfy the requirements for continuing education for a period of four (4) years from the date of attendance;

(b) Continuing Education Hours must be obtained within the two year licensure cycle, i.e. between January 1st of every Even Numbered year and December 31st of the subsequent Odd Numbered year.

(bc) ~~The staff of the Professional Licensing Boards~~ shall audit the required continuing education hours of a percentage of dispenser licensees for compliance with all rules and regulations. This percentage shall not be less than fifteen percent (15%) of the licensed Hearing Aid dispensers, randomly selected, each biennium renewal period;

(ed) At the time of license renewal, each dispenser shall certify to the Georgia Board of Hearing Aid Dealers and Dispensers that he/she has completed the continuing education credits required for license renewal;

(de) ~~In the event a licensee, who is audited, fails to submit certificates of continuing education attendance, or other documentation referred to in paragraph (4)(a) above, of having satisfied the continuing education requirements for license renewal, the application will not be processed until all the continuing education requirements are met-audit is completed.-; and a~~ A licensee who fails to meet the continuing education requirements is not eligible to renew his/her license and the license will be revoked by operation of law. An application for reinstatement must be filed, in accordance with Board rule 276-7-.01, for any lapsed licenses.

(f) Current (licensed) members of the Board shall also be audited for each renewal cycle that they serve on the Board.

AUTHORITY:O.C.G.A. §§ 43-20-6 and 43-20-15.

Mr. Jackson moved, Mr. Stock seconded, and the Board voted to adopt the amendments to Rule 276-10.02 Continuing Education as posted for the 30-day minimum requirement. None opposed, motion carried.

Mr. Jackson moved, Mr. Stock seconded, and the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-20-6 and 43-20-15.

Additionally, Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-20-6 and 43-20-15 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in

the same manner and each licensee is independently licensed in the field of hearing aid dispensing and dealers.

Executive Directors Report:

1. Mr. Zimmerman notified the Board that IHA (International Hearing Society) had provided the Board with revisions to the International Licensing Examination. Requested the Board to review all documentation submitted for possible discussion at the next scheduled meeting.

Mr. Jackson moved, Ms. Brilling seconded, and the Board voted to accept the Executive Director's report as presented. None opposed, motion carried.

Rule Discussion:

Rule 276-14-.03 Reinstatement of License

Board discussed possible amendments to Rule 276-14-.03 Reinstatement of License. Board requested rule be referred to the Rules Committee for drafting of amendments.

- Rules Committee: Joe Stock, Jason Murphy, Ralph Jackson and Debbie Brilling

Ms. Brilling moved, Mr. Bray seconded, and the Board voted to enter into Executive Session in accordance with O.C.G.A. § 43-1-2(k) (1) (2), O.C.G.A. § 43-1-2(k) (4), O.C.G.A. § 50-14-2(1), to receive and review information pertaining to Applications, and to receive the Attorney General and Cognizant Report. Voting in favor of the motion were those present who included Board members Dr. Cote, Bray, Jackson, Murphy, Stock and Brilling.

At the conclusion of Executive Session on Tuesday, September 11, 2012, Dr. Cote declared the meeting to be "open" pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session

Applications:

Mr. Bray moved, Mr. Jackson seconded, and the Board voted to take the following action on applicants applying for licensure as a Hearing Aid Dealer/Additional Dealer License. None opposed, Ms. Brilling recused, motion carried.

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|---------------------------------------|-----------------------------------------------------------------------|
| 1. Affordable Hearing Solutions | Approved for licensure |
| 2. H.P. O.A. | Pending the receipt of additional information |
| 3. M.H.S. | Pending the receipt of additional information |
| 4. M.E. | Issue upon the receipt of a signed public reprimand with fine for ULP |
| 5. P.H.A.C. | Tabled for further review |
| 6. P.H.A.C. | Tabled for further review |
| 7. P.H.A.C. | Tabled for further review |
| 8. O.R.X. | Pending the receipt of additional information |
| 9. Sam's Hearing Club (Alpharetta) | Approved for licensure |
| 10. Sam's Hearing Club (Douglasville) | Approved for licensure |

Mr. Bray moved, Mr. Stock seconded, and the Board voted to take the following action on applicants applying for licensure as a Hearing Aid Dealer/Additional Dealer License. None opposed, Mr. Jackson recused, motion carried.

1. M.E. Pending the receipt of additional information
2. M.E. Pending the receipt of additional information

Mr. Bray moved, Mr. Jackson seconded, and the Board voted to take the following action on applicants applying for licensure as Hearing Aid Dispensers. None opposed, motion carried.

1. M.M. Approved to sit for exams

Mr. Bray moved, Mr. Jackson seconded, and the Board voted to take the following action on applicants appearing before a sub-committee of the Board and applying for licensure as Hearing Aid Dispensers/Dealers. None opposed, motion carried.

Applicant Interviews:

1. J.G. Pending the receipt of additional information
2. P.M. Pending the receipt of additional information

Cognizant Report:

Mr. Bray gave an update on the pending complaint/investigation cases. The following recommendations were presented to the Board.

Complaint cases closed; no additional actions are required.

- HA110009-Ms.Brilling is recused from this case and all Board discussion
- HA130005

Compliant cases pending an Investigative Interview:

- HA110010

Complaint cases referred to the Investigations:

- HA130002, HA130003 and HA130004

Compliant cases pending the receipt of additional information:

- HA120012-Mr. Vaughn Bray is recused from this case and all Board discussion

Mr. Jackson moved, Mr. Stock seconded, and the Board voted to accept Cognizant report as presented. None opposed, motion carried.

Assistant Attorney General Report:

Wylencia Monroe, Assistant Attorney General, provided a status report which included information on any cases referred for action, requests for advice and /or requests for authority for proposed rules.

Ms. Brilling moved, Mr. Stock seconded, and the Board voted to accept the Attorney General's Report as presented. None opposed, motion carried.

There being no further business to come before the Board, the meeting was adjourned at 12:50 p.m. to be followed by the administration of the scheduled practical examinations.

Minutes recorded by

Amanda Allen, Licensure Analyst

Minutes reviewed and edited by:

Brig Zimmerman, Executive Director, HC1

DR. DONALD COTE

Chair

Georgia State Board of Hearing Aid
Dealers and Dispensers

BRIG ZIMMERMAN

Executive Director

Professional Licensing Boards Division

These minutes were approved and signed on: December 04, 2012